

Navy nominations beginning Daniel Avenancio, and ending Carl B. Weicksel, which nominations were received by the Senate and appeared in the Congressional Record of September 11, 1998.

Navy nominations beginning Karla M. Abreuolson, ending Glen A. Zurlo, which nominations were received by the Senate and appeared in the Congressional Record of September 11, 1998.

Navy nominations beginning Leanne K. Aaby, and ending Michael J. Zuccherro, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 1998.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

FEDERAL MEAT AND POULTRY EMPLOYEES PAY ACT OF 1998

Mr. BENNETT. I ask unanimous consent the Agriculture Committee be discharged from further consideration of S. 2511 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

A bill (S. 2511) to authorize the Secretary of Agriculture to pay employees of the Food Safety and Inspection Service working in establishments subject to the Federal Meat Inspection Act and the Poultry Products Inspection Act for overtime and holiday work performed by the employees.

The Senate proceeded to consider the bill.

Mr. BENNETT. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was read the third time and passed, as follows:

S. 2511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Meat and Poultry Employees Pay Act of 1998".

SEC. 2. OVERTIME AND HOLIDAY PAY.

(a) IN GENERAL.—The Secretary of Agriculture may—

(1) pay employees of the Department of Agriculture employed in an establishment subject to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) for all overtime and holiday work performed at the establishment at rates determined by the Secretary, subject to applicable law relating to minimum wages and maximum hours; and

(2) accept from the establishment reimbursement for any sums paid by the Secretary for the overtime and holiday work, at rates determined under paragraph (1).

(b) AVAILABILITY.—Sums received by the Secretary under this section shall remain available until expended without further appropriation and without fiscal year limitation, to carry out this section.

SEC. 3. CONFORMING AMENDMENTS.

(a) Section 25 of the Poultry Products Inspection Act (21 U.S.C. 468) is amended by striking "except that the cost" and all that follows and inserting "except the cost of overtime and holiday pay paid pursuant to the Federal Meat and Poultry Employees Pay Act of 1998."

(b) The Act of June 5, 1948 (21 U.S.C. 695), is amended by striking "overtime" and all that follows and inserting "overtime and holiday pay paid pursuant to the Federal Meat and Poultry Employees Pay Act of 1998."

(c) The matter under the heading "BUREAU OF ANIMAL INDUSTRY" of the Act of July 24, 1919, is amended by striking the next to the last paragraph (7 U.S.C. 394).

(d) Section 5549 of title 5, United States Code is amended by striking paragraph (1) and inserting the following:

"(1) The Federal Meat and Poultry Employees Pay Act of 1998;"

MAMMOGRAPHY QUALITY STANDARDS REAUTHORIZATION ACT OF 1998

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 580, H.R. 4382.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 4382) to amend the Public Health Service Act to revise and extend the program for mammography quality standards.

The Senate proceeded to consider the bill.

Mr. BENNETT. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4382) was considered read the third time and passed.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1999—CONFERENCE REPORT

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of the conference report to accompany H.R. 4112, the legislative branch appropriations bill.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4112), have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 22, 1998.)

Mr. BENNETT. Mr. President, I ask unanimous consent that the conference report be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the conference report be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The conference report was agreed to.

Mr. BENNETT. Mr. President, I must comment as chairman of the legislative branch subcommittee of the Appropriations Committee, I am particularly pleased with the action the Senate has just taken. I am proud of the work we did in conference, and I feel that Members of the Senate, as well as the House, will find the appropriate amount of support allocated for their activities in this conference report.

ORDERS FOR MONDAY, SEPTEMBER 28, 1998

Mr. BENNETT. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, September 28. I further ask unanimous consent that when the Senate reconvenes on Monday, immediately following the prayer, the Journal of proceedings be approved, no resolutions come over under the rule, the call of the calendar be waived, the morning hour be deemed to have expired and that the time for the two leaders be reserved. I further ask that the Senate then begin a period for the transaction of morning business until 2 p.m., with Senators permitted to speak for up to 5 minutes each, with the following exceptions:

Senator ROTH in control of the time until 12:40; Senator DORGAN, or his designee, for 40 minutes thereafter.

The PRESIDING OFFICER (Mr. DEWINE). Without objection, it is so ordered.

PROGRAM

Mr. BENNETT. Mr. President, for the information of all Senators, on Monday, there will be a period for morning business from 12 noon until 2. Following morning business, the motion to proceed to the Internet tax bill will be the pending business. Members are encouraged to come to the floor to discuss the important issue of Internet tax. At 3:30 p.m., under a previous order, the Senate will resume consideration of the so-called Vacancies Act for debate only until 5:30 p.m. Following that debate, at 5:30 p.m., the Senate will proceed to a cloture vote on the vacancies bill. Following that vote, the Senate may consider any other legislative or executive items cleared for action.

Members are reminded that second-degree amendments to the vacancy bill must be filed by 4:30 p.m. on Monday. And as a further reminder, a cloture motion was filed today on the motion to proceed to the Internet tax bill.

That vote will occur on Tuesday morning at a time to be determined by the two leaders.

ORDER FOR ADJOURNMENT

Mr. BENNETT. Mr. President, if there is no further business to come before the Senate, following the remarks of Senator LEAHY, who is expected on the floor momentarily, I ask unanimous consent that the Senate stand in adjournment under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUVENILE JUSTICE BILL

Mr. LEAHY. Mr. President, first, I alert my colleagues that I will speak a very short time. I am going to talk about a UC that I would have proposed but will not propose today but will explain why.

Earlier this month, the Republican majority came to the floor, unfortunately without prior warning, to propound a unanimous consent request for consideration of the Hatch-Sessions juvenile justice bill, S. 10. I see the distinguished Senator from Alabama here on the floor now. The UC was proposed late on Thursday afternoon. Unfortunately, it was after Senators had been informed there would be no more votes. In fact, I had already left for home in Vermont. We were unaware that they might want to proceed to S. 10 on Thursday.

My concern is that there had been a year of inaction on the bill. I had tried to propose some additional changes to the bill, which was voted on by the Judiciary Committee in July 1997, but I was unable to get any response from the other side of the aisle in the Judiciary Committee on that. There was also no attempt to get a response from this side of the aisle on the proposed UC.

I mention this because the failure of this Congress to take up and pass responsible juvenile crime legislation does not rest with the Democrats. And it is not going to be cured by any kind of a procedural floor gimmick.

Over the past year, I have spoken on the floor of the Senate and at hearings on several occasions about my concerns with the legislation. At the same time, I have expressed my willingness to work with the chairman of the full committee in a bipartisan manner to improve the juvenile crime bill.

I am not alone in my criticisms and in wanting to see changes in the bill. It has been criticized by virtually every major newspaper in the United States.

It has been criticized by national leaders ranging from Chief Justice Rehnquist to Marian Wright Edelman, President of the Children's Defense Fund. The National District Attorneys Association, and other law enforcement agencies have also written me with their concerns about this bill.

I have also heard from numerous State and local officials across the United States, including the National Governors' Association, the Council of State Governments, the U.S. Conference of Mayors, the National Association of Counties, and the National Conference of State Legislatures. All of them have expressed concerns about the restrictions this bill would place on their ability to combat and prevent juvenile crime effectively.

In short, S. 10, as reported by the Judiciary Committee, is a bill laden with problems—in fact, so many that at last count the bill had lost nearly a quarter of the Republicans who signed on as cosponsors since its introduction.

The unanimous consent request that was proposed by the other side of the aisle, I believe, was patently unfair. It would have limited debate of juvenile justice and other crime matters. It would have permitted the Republicans to offer a substitute to their own bill but not allowed Democrats the same opportunity. The only additional amendments in order under their plan would be five on each side.

We just received from the chairman of the Judiciary Committee the day before yesterday, September 23, the latest version of S. 10 which contains over 100 different changes, but the Republicans want to limit us to 5 amendments. That is not a bipartisan effort to improve this bill.

While I appreciate that we are short of time in this Congress, and I understand why the Republican leadership would like to limit the number of amendments the Democrats may offer, of course, the decision to bring the bill up at the end of the Congress is that of the majority. I have no problem with that.

But we have worked diligently to pare down the amendments that the Democrats plan to offer to S. 10 from 64 to the 25 substantive amendments which I would have put in a proposed UC. Keep in mind what I said, also, that just a couple days ago we were handed the latest version from the other side with over 100 changes. We are talking about cutting Democratic amendments from 64 to 25 substantive ones that address the substantial criticisms leveled at this bill. I want to assure that Senate consideration of this legislation is fair, full, and productive. I do not appreciate, frankly, what appears to be almost a procedural ambush to move this bill forward in a way that allows consideration of all changes from the other side but very few from this side.

So, Mr. President, I am not going to make a unanimous consent request, but I ask to put this into the RECORD—

not as a unanimous consent request. I ask unanimous consent to have printed in the RECORD what I would recommend should be a unanimous consent request to be asked by the leadership entitled "Juvenile Justice."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUVENILE JUSTICE

I ask unanimous consent that it be in order for the majority leader, after consultation with the democratic leader to proceed to Calendar No. 210, S. 10, The Violent and Repeat Juvenile Offender Act and it be considered under the following limitations:

That the only amendments in order be a substitute amendment offered by Senators Hatch and Sessions, a substitute amendment offered by the minority leader or his designee and the following listed amendments, and that if either substitute is agreed to that the substitute continue to be amendable in two degrees:

Leahy—judicial review procedures in certain juveniles cases; preservation of state presumption for prosecution of most juveniles; access to juvenile records; separation standard for juveniles in custody; crime victims assistance.

Kennedy—gun control measure; Hate Crimes Prevention Act; reauthorization of the Juvenile Justice and Delinquency Prevention Act.

Biden—prevention program for after-school activities; increase funding for prosecutor/courts grant program; modify requirements to qualify for funding from \$150 million grant program; gun ban for dangerous teens; preserve the sovereign rights of native Americans by continuing the tribal "OPT-IN"; extension crime law trust fund.

Kohl—reauthorize title V programs; restoration of the jail removal mandate.

Feingold—improve school safety; allow funds to be used to identify early warning signs of potential juvenile offenders.

Durbin—relevant.

Bingaman—Truancy Prevention and Juvenile Crime Reduction Act; to strike provisions relating to tobacco and alcohol.

Lautenberg—jump mentoring bill, S. 1461.

Wellstone—juvenile mental health protections.

Murray—restorative/community justice.

That there may be a managers package of amendments to be cleared by both the majority and minority manager; and

I finally ask consent that following the disposition of any or all amendments the bill read a third time, the Judiciary Committee be discharged from further consideration of H.R. 1818 and the Senate proceed to its consideration; all after the enacting clause be stricken and the text of S. 10, as amended be inserted in lieu thereof, the bill be read a third time and the Senate proceed to a vote on passage of the bill. I further ask that following the vote the Senate insist on its amendment, request a conference with the House and the Chair be authorized to appoint conferees on the part of the Senate.

Mr. SESSIONS. There was a unanimous consent—

Mr. LEAHY. No, no. I tell my friend from Alabama, this is what I would propose. I already stated that. And I have informed the floor staff on the Republican side that I would not make the unanimous consent request to this proposal at this time. Anyone who has known me for 24 years here knows I would never do this. I would not propose a unanimous consent request on a